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**From:** Turchie, Donna (TRO-09)  
**To:** Miyamoto, Faith  
**Sent:** 11/2/2005 12:13:43 PM  
**Subject:** FW: NOI Process

This should be helpful that a colleague provided. Once HQ has the approved copy it takes at least 3 days to a week for publication in the register. Keep in mind that things always take longer than one expects when doing a schedule.

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Subject: FW: NOI Process

FTA Process for Publishing in the Federal Register  
A Notice of Intent to Prepare an Environmental Impact Statement

The FTA Regional Administrator, working with the Office of the Chief Counsel (TCC), has the authority to publish a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) in the Federal Register (FR). The NOI is required by the regulations of the Council on Environmental Quality (CEQ) at 40 CFR §1502.7. The FTA process for having a NOI published is as follows:

1. The first draft of the NOI is normally produced by the grantee and is sent to the Regional Office.
2. Upon receipt of the draft NOI, the Regional Office should advise the grantee that:
  - (a) Any public scoping meetings should be publicized locally in newspapers of general circulation with adequate lead time (which is usually 2 weeks), in advertisements made visually apparent through inclusion of a small map sketching the project area;
  - (b) Notice should also be provided to the public and to any specifically affected parties through mailouts, flyers, bulletin board announcements, internet webpages, and other means, as appropriate;
  - (c) The grantee must prepare a scoping information packet and make it available to the public upon request and at any scoping meeting(s);
  - (d) Agency scoping meetings should be set up through direct contact with the affected and interested agencies and be held during the normal work day; and
  - (e) Written scoping comments should be accepted for at least one month after the local newspaper notice appears and for at least two weeks after the last scoping meeting.
3. The Regional Office reviews and edits, as appropriate, the NOI draft produced by the grantee to ensure that it:
  - Briefly describes study area and its transportation problems and needs;
  - Briefly describes the proposed action and initial set of alternatives;
  - Briefly describes major anticipated social and environmental effects;
  - Describes the planned scoping process including information on the time(s) and location(s) of any scoping meetings and on the availability of the scoping information packet;
  - Indicates that interested individuals, organizations, or agencies may propose the consideration of an additional, specific alternative or the study of a specific environmental effect associated with an alternative, and solicits such comment on the alternatives and effects proposed for study;
  - Specifies when written comments on the scope of the EIS evaluation

are due and gives the name, address, and phone number of the grantee's responsible person to whom comments should be sent;

- Gives the name, title, and phone number of the FTA Regional Office contact person; and
- Follows the FR's prescribed format.

Examples of NOIs and FR formatting instructions are available from the FTA Office of Planning (TPL). The Regional Office may also seek TPL assistance on the content and clarity of the NOI or on other EIS scoping requirements. TCC-10 will, upon request, review an NOI for conformance with the format and other requirements of the Office of the Federal Register.

4. The Regional Administrator signs three copies of the final NOI.

5. The Regional Office forwards the three signed hard-copies of the NOI, and an electronic version on diskette, directly to TCC for submission to the FR for publication. The electronic version on the diskette must be identical to the signed version and must be in Microsoft WORD, Wordperfect, or ASCII format.

6. TCC submits the NOI to Federal Register for publication and informs the Regional Office and TPL of the expected FR publication date by email. Publication requires a minimum of three days and up to a week after submittal of the signed copies and diskette to TCC.

7. Following publication, the FTA Webmaster posts the NOI on the FTA webpage. Additionally, the entire FR, including the published NOI, is posted at:

[http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html)